



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/828,491	04/04/2001	Scott S. Snibbe	YCMIP001	6835

22434 7590 11/10/2003

BEYER WEAVER & THOMAS LLP  
P.O. BOX 778  
BERKELEY, CA 94704-0778

EXAMINER
----------

ZHOU, TING

ART UNIT	PAPER NUMBER
----------	--------------

2173

DATE MAILED: 11/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<p align="center"><b>Office Action Summary</b></p>	<b>Application No.</b> 09/828,491	<b>Applicant(s)</b> SNIBBE ET AL.	
	<b>Examiner</b> Ting Zhou	<b>Art Unit</b> 2173	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 April 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                 | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____   |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)        | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: Note reference characters “100”, “102”, “104”, “106”, “108”, “110”, “112”, “114” and “116” of Figure 1, and reference character “806” of Figure 8.
2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: Note reference character “301” on line 13 of page 12 and reference character “802” on line 13 of page 18.
3. Applicant is required to submit a proposed drawing correction of the above noted deficiencies (preferably in red ink) in reply to this Office action. However, formal correction of the noted defect may be deferred until after the examiner has considered the proposed drawing correction. Failure to timely submit the proposed drawing correction will result in the abandonment of the application.

### ***Specification***

Art Unit: 2173

4. The abstract is objected to because it is not descriptive enough to convey the claimed invention. A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

### ***Claim Objections***

5. Claim 5 is objected to because of the following informalities: punctuation (a comma) should be inserted between the words "tracking viewing" for grammatical purposes. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 19, 27 and 29 are rejected under 35 U.S.C. 102(b) as being anticipated by Ludwig et al. U.S. Patent 5,617,539. Referring to claim 19, Ludwig et al. teach a method, system and computer program for developing digital media content (column 2, lines 64-67). Specifically, the reference includes a user interface (column 9, line 55) that enables users to collaborate online with other users in a community (multimedia collaboration system) for the creation of a digital media artifact (multimedia document), as recited in column 3, lines 15-24.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-3, 7-17, 20, 22-26 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ludwig et al. U.S. Patent 5,617,539, in view of Hanson et al. U.S. Patent 6,507,865.

Referring to claims 1, 20, 22, 23 and 28, Ludwig et al. teach a method, system and computer program for developing digital media content (column 2, lines 64-67). Specifically, the reference includes a user interface (column 9, line 55) that enables users to collaborate online

with other users in a community (multimedia collaboration system) for the creation and production of a digital media artifact (multimedia document), as recited in column 3, lines 15-24. However, they do not teach establishing a deadline for user contributions and submitting the user contributions prior to the deadline. Hanson et al. teach a method for content collaboration among a group of users similar to that of Ludwig et al. In addition, Hanson et al. further teach setting a deadline for user input in a collaboration system and the submission of input prior to the set deadline (column 17, lines 35-39). This can further be seen in Figure 15. It would have been obvious to one of ordinary skill in the art, having the teachings of Ludwig et al. and Hanson et al. before him at the time the invention was made, to modify the collaboration scheme of Ludwig et al. to include the deadline taught by Hanson et al. One would have been motivated to make such a combination in order to establish a systematic method for users to contribute collaboratively in a group setting. Having a set deadline ensures that all contributions will be submitted by a certain time period, so users would not have to wait indefinitely for others in the online community to submit their contributions.

Referring to claim 2, Ludwig et al. teach, in Figures 2B and 37, the third party creating the final media product as being part of the collaborative community that participated in the creation process. As can be seen from these figures, the members of the online community work together, share and modify the information to create a final media product.

Referring to claim 3, while Ludwig et al. teach all of the limitations as applied to claim 1 above, they fail to teach creation of the media product by a third party that is not part of the collaborative community. Hanson et al. teach the production of a media artifact (group greeting card) by a third party (computer system software) that is not part of the users in the collaborative

community that participated in the creation (signing and commenting) of the card. This is shown in Figures 8 and 10. The collaborative members simply add comments and modifications to the card already created by the system. It would have been obvious to one of ordinary skill in the art, having the teachings of Ludwig et al. and Hanson et al. before him at the time the invention was made, to modify method of Ludwig et al. to include the production of the final product by a non-community member, as taught by Hanson et al. It would have been advantageous for one to utilize such a combination in order to create a product that is not reflective of and biased towards the preferences of any particular members of the group.

Referring to claim 7, Ludwig et al. teach a method where the media product produced includes animations, as recited in column 3, lines 22-27.

Referring to claim 8, Ludwig et al. teach special edition products via the production of animations and visualization specifically tailored to a particular user, as recited in column 3, lines 18-27.

Referring to claim 9, Ludwig et al. teach user contributions including drawings and video clips, among others (column 1, lines 33-35).

Referring to claim 10, while Ludwig et al. teach all of the limitations as applied to claim 1 above, they fail to teach a fixed-asset database. Hanson et al. teach user contributions based on a fixed asset database, as recited in column 4, lines 49-54. This can further be seen from Figure 12, where the users are asked to fill in the required input, i.e. Sales Rep., Account Name, Status, etc. for the database. It would have been obvious to one of ordinary skill in the art, having the teachings of Ludwig et al. and Hanson et al. before him at the time the invention was made, to modify the method taught by Ludwig et al. to include the fixed-asset database of Hanson et al.

One would have been motivated to make such a combination in order to give users a template of information to work from, making it easier and less work for the users in the collaborative community.

Referring to claim 11, Ludwig et al. teach user contributions to a working material asset database (via allowing users to examine, discuss and revise a database of information) available to other users of the collaborative community, as recited in column 1, lines 32-39.

Referring to claim 12, Ludwig et al. teach tracking the activities of the collaborative community, therefore, the contributions of the users are subsequently tracked as well (column 21, lines 14-16).

Referring to claim 13, Ludwig et al. teach the display of the modification history and percentage of contributions (members who have initiated calls and contributed to the modified information) from members of the collaborative community (Figure 2B, 36 and 37).

Referring to claim 14, Ludwig et al. teach the display of identity information via a user profile containing information such as user name, phone number and address, viewable by other members of the community, as illustrated in Figure 2A.

Referring to claim 15, Ludwig et al. teach tracking the activities of users in the collaborative community (column 21, lines 14-16).

Referring to claim 16, Ludwig et al. teach, in Figures 2A and 2B, correlating user activity with user profile data (identity). For example, as can be seen from Figure 2A, searches of companies done by Tom Griner are associated with him in the online community.

Referring to claim 17, while Ludwig et al. disclose all of the limitations as applied to claim 1 above, they fail to disclose an interface that allows users to view a plurality of media



artifacts and select one from among the choices to modify. Hanson et al. teach an interface that allows the users to view greeting cards created by members of the online community and modify them to add their comments and signatures, as seen from Figure 9. It would have been obvious to one of ordinary skill in the art, having the teachings of Ludwig et al. and Hanson et al. at the time the invention was made, to modify the method of Ludwig et al. to include the ability to view artifacts created by members of the collaborative community and modify them, as taught by Hanson et al. It would have been advantageous for one to utilize such a combination in order to allow users to see the work of their peers. This gives users the advantages of seeing what other members of the online community have come up with and also allows them to add their changes as they see fit.

Referring to claim 24, Ludwig et al. teach front-end client software to provide an interface configured to enable users to collaborate online with other users (column 2, lines 64-67 and continuing onto column 3, lines 1-4; this is also recited in column 10, lines 5-10), back-end software servers configured to coordinate the contributions of a plurality of users (column 18, lines 38-57), a multimedia database for storage of information and an application program interface configured to communicate between one or more system components, namely clients, servers and databases, as recited in column 9, lines 54-67 and continuing onto column 10, lines 1-4.

Referring to claim 25, Ludwig et al. teach the digital device network supporting the collaborative community as comprising of an interactive television device (desktop teleconferencing), among others, as recited in column 3, lines 2-5.

Referring to claim 26, Ludwig et al. teach the digital device network supporting the collaborative community as comprising a cellular telephone link (column 15, lines 9-12) and wireless laptop (column 39, lines 31-38) to support its audio and video teleconferencing capabilities.

8. Claims 4-6, 18 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ludwig et al. U.S. Patent 5,617,539 and Hanson et al. U.S. Patent 6,507,865, as applied to claim 1 above, and further in view of Knight U.S. Patent 6,515,681.

Referring to claim 4, while Ludwig et al. and Hanson et al. teach all of the limitations as applied to claim 1 above, they fail to teach the submission of only the most popular user contributions for production. Knight teaches an online user collaboration method similar to that of Ludwig et al. In addition, he further teaches the submission of only the most popular user contributions through the retrieval of only information indicated as of most interest to the user (column 6, lines 15-21). It would have been obvious to one of ordinary skill in the art, having the teachings of Ludwig et al., Hanson et al. and Knight before him at the time the invention was made, to modify the method of Ludwig et al. and Hanson et al. to include the submission of the most popular contributions, as taught by Knight. One would have been motivated to make such a combination to save users time from having to view unrelated and unimportant information. By only submitting information that are of importance to the users, the final product is guaranteed to be pertinent to the users' needs.

Referring to claim 5, while Ludwig et al. and Hanson et al. teach all of the limitations as applied to claim 1 above, they fail to teach determining the popularity of user contributions by

Art Unit: 2173

tracking, viewing and/or use of the contributions by other users in the collaborative community.

Knight teaches a tracking system that tracks the frequency of information usage to determine popularity, as recited in column 6, lines 22-30 and lines 59-65. It would have been obvious to one of ordinary skill in the art, having the teachings of Ludwig et al., Hanson et al. and Knight before him at the time the invention was made, to modify the method taught by Ludwig et al. and Hanson et al. to include the tracking system of Knight. It would have been advantageous for one to utilize such a combination in order to determine what the users find to be the most relevant contributions by tracking the most frequently used information. This way, the final product is guaranteed to be of interest to the users, since only relevant information will be produced from this method.

Referring to claim 6, while Ludwig et al. and Hanson et al. teach all of the limitations as applied to claim 1 above, they fail to teach a quality rating system of the contributions of users in the collaborative community. Knight teaches the quality rating system through the disclosure of the display of a ranking system identifying the most popular information, as recited in column 18, lines 44-51. It would have been obvious to one of ordinary skill in the art, having teachings of Ludwig et al., Hanson et al. and Knight before him at the time the invention was made, to modify the method taught by Ludwig et al. and Hanson et al. to include the rankings of Knight. One would have been motivated to make such a combination in order to allow users to have a systematic way to rate the popularity of information and to easily view a list of such information, displayed in order of the most popular items.

Referring to claim 18, while Ludwig et al. and Hanson et al. teach all of the limitations as applied to claims 1 and 17 above, they fail to teach an interface that uses statistical sampling to

select the plurality of artifacts presented to the user. Knight teaches the use of statistical sampling through picking a subset of information that matches the user's query request to display, namely, the most popular and relevant information (column 6, lines 15-18 and column 16, lines 12-17). It is noted that statistical sampling is defined to be the selection of sample units from a population and the measurement and/or recording of information on these units. Therefore, the selection of a subset of information from a database, as taught by Knight, is a form of statistical sampling. It would have been obvious to one of ordinary skill in the art, having the teachings of Ludwig et al. and Knight before him at the time the invention was made, to modify the method taught by Ludwig et al. to include the statistical sampling of Knight. One would have been motivated to make such a combination in order to prevent the users from being overwhelmed with too much information. This way, the users will only receive a subset of the database, making it easier for them to view and navigate through the information.

Referring to claim 21, while Ludwig et al. teach all of the limitation as applied to claim 19 above, they fail to teach the selecting a subset of the collaborative contributions. Knight teaches selecting a portion of the contributions from the collaborative community, i.e. only the most popular information or information of the most interest to users (column 6, lines 15-21). It would have been obvious to one of ordinary skill in the art, having the teachings of Ludwig et al. and Knight before him at the time the invention was made, to modify the method of Ludwig et al. to include the selection of a subset of contributions, as taught by Knight. It would have been advantageous for one to utilize such a combination in order to allow the users to pick and combine contributions that are deemed the most relevant and popular so the final product will be sure to meet the users' demands.

9. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach electronic books with similar mechanisms for note taking and retrieval.

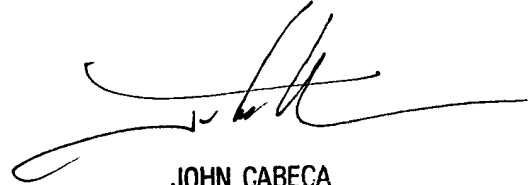
***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ting Zhou whose telephone number is (703) 305-0328. The examiner can normally be reached on Monday - Friday 7:00am - 3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

TZ  
October 29, 2003



JOHN CABECA  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100